

# **IDAHO STATE TAX COMMISSION**

## **COMMISSIONERS' OPEN MEETING MINUTES OF MEETING JANUARY 20, 2016**

In attendance: Commissioners Tom Katsilometes, Richard W. Jackson, and Elliot S. Werk; Debbie Coulson, Valerie Dilley, Steve Fiscus, Scott Grothe, Roxanne Lopez, Robin O'Neill, Mark Poppler, Chuck Pond, Phil Skinner, Mike Teller, Randy Tilley, Doreen Warren; Mat Cundiff, Nathan Nielson, Erick Shaner, Chris Schrette, David Young; Leslie Jones, Glenda Smith.

Guest: Kay Christensen.

### **Public Session.**

Commissioner Tom Katsilometes convened the open meeting and welcomed all those in attendance.

### **Presentation of Certificates of Service.**

Roxanne Lopez, Human Resources Officer, acknowledged the employees receiving a Certificate of Service. Roxanne stated how much their combined total of 60 years of state service was appreciated.

The Certificate of Service recipients were all unable to attend the presentation and will receive their certificates at a later time. The recipients were: Billie Pierson, Tax Auditor 3 (Audit Division), for 15 years of state service; Don Williams, Tax Policy Specialist (Tax Policy), for 20 years of state service and a thank-you letter from the Governor; and Dwayne Hines, Tax Property Appraisal Bureau Chief (Property Tax Division), for 25 years of state service and a thank-you letter from the Governor.

The Commissioners expressed their congratulations to all the recipients and said how the recipients' combined total of 60 years of dedicated state service was commendable and how the everyday work they do is valued and appreciated.

### **Business Requiring Vote of the Commission.**

#### Minutes: Open Meetings – December 15, 2015.

Commissioner Richard W. Jackson moved that the minutes of the open meetings held on December 15, 2015, be approved. Commissioner Elliot S. Werk seconded. There were no comments or amendments. All voted in the affirmative and the minutes of the open meetings held on December 15, 2015, were approved.

#### Minutes: ISTC Annual Meeting – December 8, 2015.

Commissioner Werk moved that the minutes of the open meetings held on December 8, 2015, be approved. Commissioner Jackson seconded. There were no comments or amendments. All voted in the affirmative and the minutes of the open meetings held on December 8, 2015, were approved.

Minutes: Economic Estimates Commission – December 14, 2015.

Commissioner Jackson moved that the minutes of the open meetings held on December 14, 2015, be approved. Commissioner Werk seconded. There were no comments or amendments. All voted in the affirmative and the minutes of the open meetings held on December 14, 2015, were approved.

Resolution 16-01 – Delegations of Authority.

Chuck Pond, Security and Safety Officer, presented Resolution 16-01 – Delegations of Authority, to the Commission. Chuck noted that Resolution 16-01 was the Tax Commission's annual update to the delegation of authority, which identifies the authority employees have delegated to them by the Commission. Employees possess authority only to the extent that authority is entrusted to them through a written delegation. The main change this year was the change in the chairman. Chuck recommended the Commission adopt Resolution 16-01.

Commissioner Werk moved that Resolution 16-01 – Delegations of Authority be adopted, and Commissioner Jackson seconded. There were no comments or questions. All voted in the affirmative and Resolution 16-01 – Delegations of Authority was adopted.

Administrative Policy Memorandum No. 16-01.

Chuck Pond, Security and Safety Officer, presented the Administrative Policy Memorandum No. 16-01 – Confidentiality and Employee Access to Tax Records and Information. Chuck noted this policy memorandum establishes a policy and standards for Idaho State Tax Commission (Tax Commission) employees who have access to personal and business tax returns and to emphasize the confidentiality of tax information and how this information may be used. This policy will expire on January 20, 2020.

Commissioner Jackson moved that Administrative Policy Memorandum No. 16-01 – Confidentiality and Employee Access to Tax Records and Information be adopted, and Commissioner Werk seconded. There were no comments or questions. All voted in the affirmative and Administrative Policy Memorandum No. 16-01 – Confidentiality and Employee Access to Tax Records and Information was adopted.

There was no more business requiring a vote of the Commission.

**Administrative Reports.**

Management Services, Mark Poppler.

Mark Poppler, Financial Officer, reported that The Internal Revenue Service recently announced their new mileage rate reimbursement for 2016. The rate goes down slightly to 54.0 cents per mile from the current 57.5 cents. This seemed surprisingly little given the huge drop in gasoline prices. The State of Idaho rates are set by the Board of Examiners. They have announced that Idaho will follow this rate reduction. Prior to this announcement, they had not adjusted the rate since July 1, 2012, at 55.5 cents.

Governor Otter gave his State of the State address to the Legislature last Monday. The Tax Commission's budget presentation to JFAC (Joint Finance and Appropriations Committee) is still scheduled for February 15, 2016, on Presidents' Day.

The refund fund is in almost as good shape as last year at this time, with very little worry that we will even approach a situation where we might have to consider borrowing authority from the Board of Examiners. Mark will be monitoring it closely during the tax season to make sure.

There were no more administrative reports.

### **Reports on Rules Committees.**

#### [Sales & Use Tax Administrative Rules](#) – Audit Division Administrator, Randy Tilley.

Randy Tilley, Audit Division Administrator, reported that there was a Sales and Use Tax Administrative Rules Committee meeting on Tuesday, January 19. On Monday, the dockets for the Tax Commission's rules, including sales and use tax, were adopted by the House Revenue and Taxation Committee. Randy will be presenting the sales tax rules on Thursday, January 21, 2016, in the Senate Local Government and Taxation Committee.

There were no questions.

There were no more rules committee reports.

### **Other Business.**

Phil Skinner, Deputy Attorney General, introduced Chris Schrette, the new extern in Legal. The commissioners welcomed Chris.

There was no other business.

### **Public Comments.**

Commissioner Katsilometes asked if the guests in attendance had any comments.

There were no public comments.

### **Recess.**

Commissioner Katsilometes recessed the Public Session for five minutes to reconvene for the commissioners to meet with the Commission's legal counsel.

### **Reconvene Meeting.**

Commissioner Katsilometes reconvened the open meeting.

### **Executive Session.**

Commissioner Jackson moved to go into the Executive Session with its legal counsel pursuant to Idaho Code § 74-206(1)(f) to discuss the current status of litigation to which the Commission is a party, in addition to discuss matters which are exempt pursuant to Idaho Code § 74-206(1)(b). Commissioner Elliot Werk seconded. A roll call vote was taken by Valerie Dilley, Executive Administrative Assistant. Commissioners Katsilometes, Jackson, and Werk all voted in favor and the motion passed.

The Commission met in executive session with its legal counsel pursuant to Idaho Code § 74-206(1)(f) to discuss the current status of litigation to which the Commission is a party, in addition to discuss matters which are exempt pursuant to Idaho Code § 74-206(1)(b). No matters requiring a vote of the Commission resulted from the executive session.

**Public Session.**

Commissioner Katsilometes declared the Executive Session ended and returned to the public session.

There being no further business, the meeting adjourned.

Valerie J. Dilley  
Secretary

Tom Katsilometes  
Chair